

MESSAGE NO: 3221311 MESSAGE DATE: 08/09/2013

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE: CTDIS-Court ORD Dissolved

FR CITE: FR CITE DATE:

REFERENCE 0264304, 0306301, 0312301,  
MESSAGE # 0314305, 0327307  
(s):

CASE #(s): A-552-802

EFFECTIVE DATE: 06/25/2013 COURT CASE #: 13-1033

PERIOD OF REVIEW: 02/01/2008 TO 01/31/2009

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 08/09/2013

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Liquidation instructions for certain frozen warmater shrimp from the Socialist Republic of Vietnam exported by various companies for the period 02/01/2008 through 01/31/2009 (A-552-802)

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 3 below.

1. On 06/25/2013, the U.S. Court of Appeals for the Federal Circuit issued a final decision in the case of Grobest & I-Mei Industrial v. United States (13-1033). As a result of this decision, the injunctions to which messages 0264304, 0306301, 0314305, and 0327307 refer enjoining liquidation of entries which are subject to the antidumping duty order on certain frozen warmater shrimp ("shrimp") from the Socialist Republic of Vietnam ("Vietnam") for the period 02/01/2008 through 01/31/2009 exported by various companies dissolved on 06/25/2013. This is with the exception of entries exported by Grobest & I-Mei Industrial Vietnam, AKA Grobest, AKA Grobest & I-Mei Industrial (Vietnam) Co., Ltd. as described in paragraph 4 below.

2. For all shipments of shrimp from Vietnam exported by the firms listed below and entered, or withdrawn from warehouse, for consumption during the period 02/01/2008 through 01/31/2009, assess an antidumping liability equal to 3.92 percent of the entered value of subject merchandise:

Exporter: Camau Frozen Seafood Processing Import Export Corporation ("CAMIMEX") aka Camimex aka

Camau Seafood Factory No. 4 aka

Camau Seafood Factory No. 5 aka

Camau Frozen Seafood Processing Import & Export aka

Camau Frozen Seafood Processing Import Export Corp. (CAMIMEX-FAC 25) aka

Frozen Factory No. 4

Case number: A-552-802-001

Exporter: Kim Anh Company Limited ("Kim Anh")

Case number: A-552-802-002

Exporter: Minh Hai Joint-Stock Seafoods Processing Company ("Seaprodex Minh Hai") aka  
Sea Minh Hai aka  
Minh Hai Joint-Stock Seafoods Processing Company aka  
Seaprodex Minh Hai aka  
Seaprodex Min Hai aka  
Seaprodex Minh Hai (Minh Hai Joint Stock Seafoods Processing Co.) aka  
Seaprodex Minh Hai Factory aka  
Seaprodex Minh Hai Factory No. 69 aka  
Seaprodex Minh Hai Workshop 1 aka  
Seaprodex Minh Hai-Factory No. 78 aka  
Seaprodex Minh HaiFactory No. 78 aka  
Workshop I Seaprodex Minh Hai  
Case number: A-552-802-003

Exporter: Amanda Foods (Vietnam) Ltd.  
Case number: A-552-802-005

Exporter: C.P. Vietnam Livestock Company Limited ("C.P. Vietnam") aka  
C.P. Vietnam Livestock Company Limited aka  
C.P. Vietnam Livestock Corporation ("C.P. Vietnam")  
Case number: A-552-802-006

Exporter: Can Tho Agricultural and Animal Products Import Export Company ("CATACO") aka  
Can Tho Agricultural Products aka  
CATACO aka  
Can Tho Agricultural and Animal Products Imex Company  
Case number: A-552-802-008

Exporter: Cafatex Fishery Joint Stock Corporation ("Cafatex Corp.") aka  
Cantho Animal Fisheries Product Processing Export Enterprise (Cafatex), aka  
Cafatex, aka  
Cafatex Vietnam, aka  
Xi Nghiep Che Bien Thuy Suc San Xuat Kau Cantho aka  
Xi Nghiep Che Bien Thuy Suc San Xuat Khau Cantho aka  
Cas, aka  
Cas Branch, aka  
Cafatex Saigon, aka  
Cafatex Fishery Joint Stock Corporation, aka

Cafatex Corporation, aka  
Taydo Seafood Enterprise, aka  
Cafatex Corp.  
Case number: A-552-802-009

Exporter: Cuulong Seaproducts Company ("Cuu Long Seapro") aka  
Cuu Long Seaproducts Limited ("Cuulong Seapro") aka  
Cuulong Seapro aka  
Cuulong Seaproducts Company ("Cuulong Seapro") aka  
Cuu Long Seaproducts Company ("Cuu Long Seapro") aka  
Cuu Long Seaproducts Company aka  
Cuu Long Seapro aka  
Cuulong Seaproducts Company ("Cuu Long Seapro") aka  
Cuu Long Seaproducts Limited (Cuulong Seapro) aka  
Cuulong Seapro aka  
Cuulong Seaproduct Company  
Case number: A-552-802-010

Exporter: Danang Seaproducts Import Export Corporation ("Seaprodex Danang") aka  
Danang Seaproducts Import Export Corporation aka  
Danang Seaproduct Import-Export Corporation aka  
Danang Seaproducts Import-Export Corporation aka  
Danang Seaproducts Import Export aka  
Tho Quang Seafood Processing & Export Company aka  
Seaprodex Danang aka  
Tho Quang Seafood Processing and Export Company aka  
Tho Quang, aka  
Tho Quang Co.  
Case number: A-552-802-011

Exporter: Minh Hai Export Frozen Seafood Processing Joint Stock Company aka  
Minh Hai Jostoco aka  
Minh Hai Export Frozen Seafood Processing Joint-Stock Company ("Minh Hai Jostoco") aka  
Minh Hai Export Frozen Seafood Processing Joint-Stock Company aka  
Minh Hai Joint Stock Seafood Processing Joint-Stock Company aka  
Minh Hai Export Frozen Seafood Processing Joint-Stock Co., aka  
Minh-Hai Export Frozen Seafood Processing Joint-Stock Company  
Case number: A-552-802-013

Exporter: Minh Hai Sea Products Import Export Company ("Seaprimex Co") aka  
Minh Hai Sea Products Import Export Company ("Seaprimex Co"), aka  
Ca Mau Seafood Joint Stock Company ("SEAPRIMEXCO") aka  
Seaprimexco Vietnam, aka  
Seaprimexco  
Ca Mau Seafood Joint Stock Company ("Seaprimexco")  
Minh Hai Seaproducts Import Export Corporation  
Seaprimexco  
Minh Hai Seaproducts Co Ltd. (Seaprimexco)  
Case number: A-552-802-014

Exporter: Nha Trang Fisheries Joint Stock Company ("Nha Trang Fisco") aka  
Nha Trang Fisheries Joint Stock Company aka  
Nhatrang Fisheries Joint Stock Company aka  
Nha Trang Fisco aka  
Nhatrang Fisco aka  
Nha Trang Fisheries Joint Stock Company ("Nha Trang Fisco") aka  
Nha Trang Fisheries, Joint Stock  
Case number: A-552-802-015

Exporter: Sao Ta Foods Joint Stock Company ("Fimex VN") aka  
Sao Ta Foods Joint Stock Company aka  
Fimex VN aka  
Sao Ta Seafood Factory aka  
Saota Seafood Factory  
Case number: A-552-802-018

Exporter: Soc Trang Aquatic Products and General Import Export Company ("Stapimex") aka  
Soc Trang Seafood Joint Stock Company ("Stapimex") aka  
Soc Trang Aquatic Products and General Import Export Company aka  
Stapimex aka  
Soc Trang Aquatic Products and General Import Export Company-(Stapimex) aka  
Stapimex Soc Trans Aquatic Products and General Import Export Company aka  
Stapmex  
Case number: A-552-802-019

Exporter: Bac Lieu Fisheries Company Limited, aka

Bac Lieu Fisheries Company Limited ("Bac Lieu") aka  
Bac Lieu Fisheries Joint Stock Company aka  
Bac Lieu Fisheries Limited Company aka  
Bac Lieu Fisheries Company Limited  
Case number: A-552-802-024

Exporter: Coastal Fishery Development aka  
Coastal Fisheries Development Corporation ("Cofidec") aka  
Coastal Fisheries Development Corporation (Cofidec) aka  
COFIDEC aka  
Coastal Fisheries Development Corporation aka  
Coastal Fisheries Development Co., aka  
Coastal Fisheries Development Corp.  
Case number: A-552-802-025

Exporter: Cam Ranh Seafoods Processing Enterprise Company ("Camranh Seafoods") aka  
Camranh Seafoods aka  
Cam Ranh Seafoods Processing Enterprise Company  
Case number: A-552-802-026

Exporter: Phu Cuong Seafood Processing and Import-Export Co., Ltd.  
Case number: A-552-802-027

Exporter: Viet Foods Co., Ltd. aka  
Nam Hai Foodstuff and Export Company Ltd.  
Case number: A-552-802-030

Exporter: Viet Hai Seafood Co., Ltd. aka  
Vietnam Fish One Co., Ltd. ("Fish One")  
Case number: A-552-802-031

Exporter: Investment Commerce Fisheries Corporation ("Incomfish") aka  
Incomfish aka  
Investment Commerce Fisheries Corp., aka  
Incomfish Corp., aka  
Incomfish Corporation aka  
Investment Commerce Fisheries aka  
Investment Commerce Fisheries Corporation

Case number: A-552-802-033

Exporter: Ngoc Sinh Private Enterprise aka

Ngoc Sinh Seafoods aka

Ngoc Sinh Seafoods Processing and Trading Enterprise aka

Ngoc Sinh Fisheries aka

Ngoc Sinh Private Enterprises aka

Ngoc Sinh Seafoods Processing and Trading Enterprises aka

Ngoc Sinh aka

Ngoc Sinh Seafood Processing Company aka

Ngoc Sinh Seafoods (Private Enterprise)

Case number: A-552-802-034

Exporter: Cadovimex Seafood Import-Export and Processing Joint Stock Company  
("CADOVIMEX-VIETNAM") aka

Cai Doi Vam Seafood Import-Export Company ("Cadovimex") aka

Cai Doi Vam Seafood aka

Cai Doi Vam Seafood Im-Ex Company (Cadovimex) aka

Cai Doi Vam Seafood Processing Factory aka

Caidoivam Seafood Company (Cadovimex) aka

Caidoivam Seafood Im-Ex Co.

Case number: A-552-802-039

Exporter: Thuan Phuoc Seafoods and Trading Corporation aka

Frozen Seafoods Factory No. 32 aka

Seafoods and Foodstuff Factory aka

My Son Seafoods Factory

Case number: A-552-802-041

Exporter: UTXI Aquatic Products Processing Company aka

UT XI Aquatic Products Processing Company aka

UT-XI Aquatic Products Processing Company aka

UTXI aka

UTXI Co. Ltd., aka

Khanh Loi Seafood Factory aka

Hoang Phuong Seafood Factory aka

UTXI Aquatic Products Processing Corporation ("UTXICO")

Case number: A-552-802-042

Exporter: Can Tho Import Export Fishery Limited Company ("CAFISH")

Case number: A-552-802-043

Exporter: Gallant Ocean (Vietnam) Co., Ltd. ("Gallant Ocean Vietnam")

Case number: A-552-802-044

Exporter: Phuong Nam Co., Ltd. ("Phuong Nam") aka

Western Seafood Processing and Exporting Factory ("Western Seafood")

Case number: A-552-802-045

Exporter: Vinh Loi Import Export Company ("Vimexco"), aka

Vinh Loi Import Export Company ("VIMEX"), aka

VIMEXCO aka

VIMEX aka

Vinh Loi Import/Export Co., aka

Vinhloi Import Export Company aka

Vinh Loi Import-Export Company

Case number: A-552-802-080

3. These instructions constitute notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 2. Accordingly, notice of the lifting of suspension occurred on the message date of these instructions. Unless instructed otherwise, for all other shipments of shrimp from Vietnam you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

4. Continue suspension of liquidation covered by message numbers 0306301 and 0312301, dated 11/02/2010 and 11/08/2010, respectively, discussing court numbers 10-00265 and 10-00238 that are applicable to merchandise exported by Grobest & I-Mei Industrial Vietnam, AKA Grobest, AKA Grobest & I-Mei Industrial (Vietnam) Co., Ltd. and entered, or withdrawn from warehouse, for consumption during the period 02/01/2008 through 01/31/2009. These entries are subject to an ongoing administrative review initiated on 09/13/2012 (77 FR 63786).

5. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication



of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

6. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement. .

7. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by O9:SSP.)

9. There are no restrictions on the release of this information.

Michael B. Walsh

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party